

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

SABRINA YOUNG
PLAINTIFF

VS.

CAUSE NO.: 3:20-cv-214-JMV

COMMISSIONER OF SOCIAL SECURITY
DEFENDANT

FINAL JUDGMENT

This cause is before the Court on Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying claims for a period of disability and disability insurance benefits and supplemental security income. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit. The Court, having reviewed the administrative record, the briefs of the parties, and the applicable law, and having heard oral argument, finds as follows:

For the reasons announced by the Court on the record at the conclusion of oral argument during a hearing held today, the Court finds there is no reversible error, and the Commissioner's decision is supported by substantial evidence in the record.¹ Therefore, the

¹ The Court's review of the Commissioner's final decision that Plaintiff was not disabled is limited to two inquiries: (1) whether substantial evidence supports the Commissioner's decision; and (2) whether the decision comports with relevant legal standards. *See* 42 U.S.C. § 405(g); *Greenspan v. Shalala*, 38 F.3d 232, 236 (5th Cir. 1994). When substantial evidence supports the Commissioner's findings, they are conclusive and must be affirmed. *See* 42 U.S.C. § 405(g); *Richardson v. Perales*, 402 U.S. 389, 401 (1971). Plaintiff's arguments regarding the ALJ's failure to properly consider the opinions of Robert Moss, Ph.D., are without merit because Plaintiff has shown no error in the ALJ's evaluation of Dr. Moss's opinion regarding the claimant's intellectual functioning—the ALJ properly considered supportability and consistency in accordance with the regulations—

decision of the Commissioner is hereby **AFFIRMED**.

SO ORDERED AND ADJUDGED this, the 2nd day of August, 2021.

/s/ Jane M. Virden
U.S. MAGISTRATE JUDGE

and Plaintiff has failed to meet her burden to show prejudice, even assuming the ALJ failed to properly evaluate any of Dr. Moss's findings or other putative opinions. And Plaintiff's argument that the ALJ did not properly consider her severe headaches fails because the Plaintiff, again, has shown no prejudice. The record demonstrates, and Plaintiff's counsel essentially acknowledged during the hearing, that many of the claimant's headaches either attended or were closely related to her seizures (i.e., they either came before or were postictal symptoms). Indeed, Plaintiff makes no argument the RFC does not properly account for her seizures and points to no evidence in the record supporting additional limitations that should have been included in the RFC found by the ALJ.